

Relief Act of 1996 (Public Law 104-318; 110 Stat. 3862) is amended by adding at the end the following new subsection:

“(C) EXTENSION OF PERIODS FOR REPAYMENT.—Notwithstanding any provision of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.), the Secretary of the Interior—

“(1) shall extend the period for repayment by the city of Corpus Christi, Texas, and the Nueces River Authority under contract No. 6-07-01-X0675, relating to the Nueces River reclamation project, Texas, until—

“(A) August 1, 2029, for repayment pursuant to the municipal and industrial water supply benefits portion of the contract; and

“(B) until August 1, 2044, for repayment pursuant to the fish and wildlife and recreation benefits portion of the contract; and

“(2) shall extend the period for repayment by the Canadian River Municipal Water Authority under contract No. 14-06-500-485, relating to the Canadian River reclamation project, Texas, until October 1, 2021.”.

(f) SOLANO PROJECT WATER.—

(1) AUTHORIZATION.—The Secretary of the Interior is authorized to enter into contracts with the Solano County Water Agency, or any of its member unit contractors for water from the Solano Project, California, pursuant to the Act of February 21, 1911 (43 U.S.C. 523), for—

(A) the impounding, storage, and carriage of nonproject water for domestic, municipal, industrial, and other beneficial purposes, using any facilities associated with the Solano Project, California, and

(B) the exchange of water among Solano Project contractors, for the purposes set forth in subparagraph (A), using facilities associated with the Solano Project, California.

(2) LIMITATION.—The authorization under paragraph (1) shall be limited to the use of that portion of the Solano Project facilities downstream of Mile 26 of the Putah South Canal (as that canal is depicted on the official maps of the Bureau of Reclamation), which is below the diversion points on the Putah South Canal utilized by the city of Fairfield for delivery of Solano Project water.

(g) FISH PASSAGE AND PROTECTIVE FACILITIES, ROGUE RIVER BASIN, OREGON.—The Secretary of the Interior is authorized to use otherwise available amounts to provide up to \$2,000,000 in financial assistance to the Medford Irrigation District and the Rogue River Valley Irrigation District for the design and construction of fish passage and protective facilities at North Fork Little Butte Creek Diversion Dam and South Fork Little Butte Creek Diversion Dam in the Rogue River basin, Oregon, if the Secretary determines in writing that these facilities will enhance the fish recovery efforts currently underway at the Rogue River Basin Project, Oregon.

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this Act shall be construed to abrogate or affect any obligation of the United States under section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

SEC. 702. DICKENSON, NORTH DAKOTA.

The Secretary of the Interior shall waive the scheduled annual payments for fiscal years 1998 and 1999 under section 208 of the Energy and Water Development Appropriations Act, 1988 (Public Law 100-202; 101 Stat. 1329-118).

Mr. HANSEN (during the reading). Madam Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MILLER of California. Madam Speaker, S. 2117 as amended authorizes a number of relatively small but important provisions affecting water resource projects and management in the Western United States. The bill authorizes construction of a rural water system in South Dakota, transfers ownership of several Bureau of Reclamation projects to local water districts, authorizes several small projects in the Colusa Basin of California, and provides financial assistance for construction of water reuse projects in Phoenix and Albuquerque. The bill also allows the City of Vallejo, California to use the water conveyance facilities of the Bureau of Reclamation's Solano Project.

While I will not object to passage of this legislation, I will note that some of the Reclamation project transfers included in S. 2117 remain problematic. In particular, serious environmental issues have been raised regarding future management of the Wellton-Mohawk Division of the Gila Project and the Sly Park Unit of the Central Valley Project. The Bureau of Reclamation must work to determine the conditions for transferring these projects that will preserve the public benefits and avoid environmental damage from future project operations.

The amendment in the nature of a substitute was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPROVING A GOVERNING INTERNATIONAL FISHERY AGREEMENT BETWEEN THE UNITED STATES AND POLAND

Mr. HANSEN. Madam Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the bill (H.R. 3461) to approve a governing international fishery agreement between the United States and the Republic of Poland, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3461

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH POLAND.

Notwithstanding section 203 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1823), the governing international fishery agreement between the Government of the United States of America and the Government of the Republic of Poland, as contained in the message to Congress from the President of the United States dated February 5, 1998, is approved as a governing international fishery agreement for the purposes of such Act and shall enter into force and effect with respect to the United States on the date of enactment of this Act.

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. HANSEN

Mr. HANSEN. Madam Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the Nature of a Substitute
Offered by Mr. HANSEN:

Strike out all after the enacting clause and insert:

TITLE I—GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH POLAND

SEC. 101. GOVERNING INTERNATIONAL FISHERY AGREEMENT WITH POLAND.

Notwithstanding section 203 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1823), the governing international fishery agreement between the Government of the United States of America and the Government of the Republic of Poland, as contained in the message to Congress from the President of the United States dated February 5, 1998, is approved as a governing international fishery agreement for the purposes of such Act and shall enter into force and effect with respect to the United States on the date of enactment of this Act.

TITLE II—MISCELLANEOUS FISHERIES PROVISIONS

SEC. 201. REAUTHORIZATION OF THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

(a) REAUTHORIZATION.—Section 211 of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5610) is amended by striking “for each of” and all that follows through the end of the sentence and inserting “for each fiscal year through fiscal year 2001.”.

(b) MISCELLANEOUS TECHNICAL AMENDMENTS.—The Northwest Atlantic Fisheries Convention Act of 1995 is further amended—

(1) in section 207(e) (16 U.S.C. 5606(e)), by striking “sections” and inserting “section”;

(2) in section 209(c) (16 U.S.C. 5608(c)), by striking “chapter 17” and inserting “chapter 171”; and

(3) in section 210(6) (16 U.S.C. 5609(6)), by striking “the Magnuson Fishery” and inserting “the Magnuson-Stevens Fishery”.

(c) REPORT REQUIREMENT.—The Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 201 et seq.) is further amended by adding at the end the following:

“SEC. 212. ANNUAL REPORT.

“The Secretary shall annually report to the Congress on the activities of the Fisheries Commission, the General Council, the Scientific Council, and the consultative committee established under section 208.”.

(d) NORTH ATLANTIC FISHERIES ORGANIZATION QUOTA ALLOCATION PRACTICE.—The Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 201 et seq.) is further amended by adding at the end the following:

“SEC. 213. QUOTA ALLOCATION PRACTICE.

“(a) IN GENERAL.—The Secretary of Commerce, acting through the Secretary of State, shall promptly seek to establish a new practice for allocating quotas under the Convention that—

“(1) is predictable and transparent;

“(2) provides fishing opportunities for all members of the Organization; and

“(3) is consistent with the Straddling Fish Stocks Agreement.

“(b) REPORT.—The Secretary of Commerce shall include in annual reports under section 212—

“(1) a description of the results of negotiations held pursuant to subsection (a);

“(2) an identification of barriers to achieving such a new allocation practice; and

“(3) recommendations for any further legislation that is necessary to achieve such a new practice.

“(c) DEFINITION.—In this section the term ‘Straddling Fish Stocks Agreement’ means the United Nations Agreement for the Implementation of the Provisions of the United

Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.”.

SEC. 202. REAUTHORIZATION OF THE ATLANTIC TUNAS CONVENTION ACT OF 1975.

(a) REAUTHORIZATION.—Section 10(4) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971h(4)) is amended by striking “For fiscal year 1998,” and inserting “For each of fiscal years 1998, 1999, 2000, and 2001.”.

(b) MISCELLANEOUS TECHNICAL AMENDMENTS.—(1) The Atlantic Tunas Convention Act of 1975 is further amended—

(A) in section 2 (16 U.S.C. 971), by redesignating the second paragraph (4) as paragraph (5);

(B) in section 5(b) (16 U.S.C. 971c(b)), by striking “fisheries zone” and inserting “exclusive economic zone”;

(C) in section 6(c)(6) (16 U.S.C. 971d(c)(6))—

(i) by designating the last sentence as subparagraph (B), and by indenting the first line thereof; and

(ii) in subparagraph (A)(iii), by striking “subparagraph (A)” and inserting “clause (i)”;

(D) by redesignating the first section 11 (16 U.S.C. 971 note) as section 13, and moving that section so as to appear after section 12 of that Act;

(E) by amending the style of the heading and designation for each of sections 11 and 12 so as to conform to the style of the headings and designations of the other sections of that Act; and

(F) by striking “Magnuson Fishery” each place it appears and inserting “Magnuson-Stevens Fishery”.

(2) Section 3(b)(3)(B) of the Act of September 4, 1980 (Public Law 96-339; 16 U.S.C. 971i(b)(3)(B)), is amended by inserting “of 1975” after “Act”.

SEC. 203. AUTHORITY OF STATES OF WASHINGTON, OREGON, AND CALIFORNIA TO MANAGE DUNGENESS CRAB FISHERY.

(a) IN GENERAL.—Subject to the provisions of this section and notwithstanding section 306(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1856(a)), each of the States of Washington, Oregon, and California may adopt and enforce State laws and regulations governing fishing and processing in the exclusive economic zone adjacent to that State in any Dungeness crab (*Cancer magister*) fishery for which there is no fishery management plan in effect under that Act.

(b) REQUIREMENTS FOR STATE MANAGEMENT.—Any law or regulation adopted by a State under this section for a Dungeness crab fishery—

(1) except as provided in paragraph (2), shall apply equally to vessels engaged in the fishery in the exclusive economic zone and vessels engaged in the fishery in the waters of the State, and without regard to the State that issued the permit under which a vessel is operating;

(2) shall not apply to any fishing by a vessel in exercise of tribal treaty rights except as provide in *United States v. Washington*, D.C. No. CV-70-09213, *United States District Court for the Western District of Washington*; and

(3) shall include any provisions necessary to implement tribal treaty rights pursuant to the decision in *United States v. Washington*, D.C. No. CV-70-09213.

(c) LIMITATION ON ENFORCEMENT OF STATE LIMITED ACCESS SYSTEMS.—Any law of the State of Washington, Oregon, or California that establishes or implements a limited access system for a Dungeness crab fishery may not be enforced against a vessel that is otherwise legally fishing in the exclusive economic zone adjacent to that State and

that is not registered under the laws of that State, except a law regulating landings.

(d) STATE PERMIT OR TREATY RIGHT REQUIRED.—No vessel may harvest or process Dungeness crab in the exclusive economic zone adjacent to the State of Washington, Oregon, or California, except as authorized by a permit issued by any of those States or pursuant to any tribal treaty rights to Dungeness crab pursuant to the decision in *United States v. Washington*, D.C. No. CV-70-09213.

(e) STATE AUTHORITY OTHERWISE PRESERVED.—Except as expressly provided in this section, nothing in this section reduces the authority of any State under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) to regulate fishing, fish processing, or landing of fish.

(f) TERMINATION OF AUTHORITY.—The authority of the States of Washington, Oregon, and California under this section with respect to a Dungeness crab fishery shall expire on the effective date of a fishery management plan for the fishery under the Magnuson-Stevens Fishery Conservation and Management Act.

(g) REPEAL.—Section 112(d) of Public Law 104-297 (16 U.S.C. 1856 note) is repealed.

(h) DEFINITIONS.—The definitions set forth in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802) shall apply to this section.

(i) SUNSET.—This section shall have no force or effect on and after September 30, 2001.

TITLE III—NOAA HYDROGRAPHIC SERVICES

SEC. 301. SHORT TITLE.

This title may be cited as the “Hydrographic Services Improvement Act of 1998”.

SEC. 302. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATION.—The term “Administration” means the National Oceanic and Atmospheric Administration.

(3) HYDROGRAPHIC DATA.—The term “hydrographic data” means information acquired through hydrographic or bathymetric surveying, photogrammetry, geodetic measurements, tide and current observations, or other methods, that is used in providing hydrographic services.

(4) HYDROGRAPHIC SERVICES.—The term “hydrographic services” means—

(A) the management, maintenance, interpretation, certification, and dissemination of bathymetric, hydrographic, geodetic, and tide and current information, including the production of nautical charts, nautical information databases, and other products derived from hydrographic data;

(B) the development of nautical information systems; and

(C) related activities.

(5) ACT OF 1947.—The term “Act of 1947” means the Act entitled “An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes”, approved August 6, 1947 (33 U.S.C. 883a et seq.).

SEC. 303. FUNCTIONS OF THE ADMINISTRATOR.

(a) RESPONSIBILITIES.—To fulfill the data gathering and dissemination duties of the Administration under the Act of 1947, the Administrator shall—

(1) acquire and disseminate hydrographic data;

(2) promulgate standards for hydrographic data used by the Administration in providing hydrographic services;

(3) promulgate standards for hydrographic services provided by the Administration;

(4) ensure comprehensive geographic coverage of hydrographic services, in cooperation with other appropriate Federal agencies;

(5) maintain a national database of hydrographic data, in cooperation with other appropriate Federal agencies;

(6) provide hydrographic services in uniform, easily accessible formats;

(7) participate in the development of, and implement for the United States in cooperation with other appropriate Federal agencies, international standards for hydrographic data and hydrographic services; and

(8) to the greatest extent practicable and cost-effective, fulfill the requirements of paragraphs (1) and (6) through contracts or other agreements with private sector entities.

(b) AUTHORITIES.—To fulfill the data gathering and dissemination duties of the Administration under the Act of 1947, and subject to the availability of appropriations, the Administrator—

(1) may procure, lease, evaluate, test, develop, and operate vessels, equipment, and technologies necessary to ensure safe navigation and maintain operational expertise in hydrographic data acquisition and hydrographic services;

(2) may enter into contracts and other agreements with qualified entities, consistent with subsection (a)(8), for the acquisition of hydrographic data and the provision of hydrographic services;

(3) shall award contracts for the acquisition of hydrographic data in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.); and

(4) may design and install where appropriate Physical Oceanographic Real-Time Systems to enhance navigation safety and efficiency.

SEC. 304. QUALITY ASSURANCE PROGRAM.

(a) DEFINITION.—For purposes of this section, the term “hydrographic product” means any publicly or commercially available product produced by a non-Federal entity that includes or displays hydrographic data.

(b) PROGRAM.—

(1) IN GENERAL.—The Administrator may—

(A) develop and implement a quality assurance program that is equally available to all applicants, under which the Administrator may certify hydrographic products that satisfy the standards promulgated by the Administrator under section 303(a)(3);

(B) authorize the use of the emblem or any trademark of the Administration on a hydrographic product certified under subparagraph (A); and

(C) charge a fee for such certification and use.

(2) LIMITATION ON FEE AMOUNT.—Any fee under paragraph (1)(C) shall not exceed the costs of conducting the quality assurance testing, evaluation, or studies necessary to determine whether the hydrographic product satisfies the standards adopted under section 303(a)(3), including the cost of administering such a program.

(c) LIMITATION ON LIABILITY.—The Government of the United States shall not be liable for any negligence by a person that produces hydrographic products certified under this section.

(d) HYDROGRAPHIC SERVICES ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, which shall be known as the Hydrographic Services Account.

(2) CONTENT.—The account shall consist of—

(A) amounts received by the United States as fees charged under subsection (b)(1)(C); and

(B) such other amounts as may be provided by law.

(3) **USE.**—Amounts in the account shall be available to the Administrator, without further appropriation, for hydrographic services.

(e) **LIMITATION ON NEW FEES AND INCREASES IN EXISTING FEES FOR HYDROGRAPHIC SERVICES.**—After the date of the enactment of this Act, the Administrator may not—

(1) establish any fee or other charge for the provision of any hydrographic service except as authorized by this section; or

(2) increase the amount of any fee or other charge for the provision of any hydrographic service except as authorized by this section and section 1307 of title 44, United States Code.

SEC. 305. REPORTS.

(a) **PHOTOGRAMMETRY AND REMOTE SENSING.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall report to the Congress on a plan to increase, consistent with this title, contracting with the private sector for photogrammetric and remote sensing services related to hydrographic data acquisition or hydrographic services. In preparing the report, the Administrator shall consult with private sector entities knowledgeable in photogrammetry and remote sensing.

(2) **CONTENTS.**—The report shall include the following:

(A) An assessment of which of the photogrammetric and remote sensing services related to hydrographic data acquisition or hydrographic services performed by the National Ocean Service can be performed adequately by private-sector entities.

(B) An evaluation of the relative cost-effectiveness of the Federal Government and private-sector entities in performing those services.

(C) A plan for increasing the use of contracts with private-sector entities in performing those services, with the goal of obtaining performance of 50 percent of those services through contracts with private-sector entities by fiscal year 2003.

(b) **PORTS.**—Not later than 6 months after the date of enactment of this Act, the Administrator and the Commandant of the Coast Guard shall report to the Congress on—

(1) the status of implementation of real-time tide and current data systems in United States ports;

(2) existing safety and efficiency needs in United States ports that could be met by increased use of those systems; and

(3) a plan for expanding those systems to meet those needs, including an estimate of the cost of implementing those systems in priority locations.

(c) **MAINTAINING FEDERAL EXPERTISE IN HYDROGRAPHIC SERVICES.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall report to the Congress on a plan to ensure that Federal competence and expertise in hydrographic surveying will be maintained after the decommissioning of the 3 existing Administration hydrographic survey vessels.

(2) **CONTENTS.**—The report shall include—

(A) an evaluation of the seagoing capacity, personnel, and equipment necessary to maintain Federal expertise in hydrographic services;

(B) an estimated schedule for decommissioning the 3 existing survey vessels;

(C) a plan to maintain Federal expertise in hydrographic services after the decommissioning of these vessels; and

(D) an estimate of the cost of carrying out this plan.

(d) **UNITED STATES IMPLEMENTATION OF ELECTRONIC NAUTICAL CHARTS.**—Not later than 6 months after the date of enactment of this Act, the Administrator shall report to the Congress on the status of implementation by the United States of electronic nautical charts. The report shall address, at a minimum—

(1) the role of the private sector, and the potential for the Administration to employ partnerships or other arrangements with the private sector, in domestic and international development and implementation of electronic nautical chart technology;

(2) the effects of private sector participation in the development and implementation of electronic nautical chart technology on public safety and the continued ability of the Federal Government to assume liability for United States nautical charts; and

(3) the range of alternative means by which the Administration can effectively and efficiently make electronic nautical chart data available to the private sector and the general public, including an evaluation of relative costs and advantages or disadvantages of each such alternative.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Administrator the following:

(1) To carry out nautical mapping and charting functions under the Act of 1947 and sections 303 and 304, except for conducting hydrographic surveys, \$33,000,000 for fiscal year 1999, \$34,000,000 for fiscal year 2000, \$35,000,000 for fiscal year 2001, and \$36,000,000 for fiscal year 2002.

(2) To conduct hydrographic surveys under section 303(a)(1), including leasing of ships, \$33,000,000 for fiscal year 1999, \$35,000,000 for fiscal year 2000, \$37,000,000 for fiscal year 2001, and \$39,000,000 for fiscal year 2002. Of these amounts, no more than \$15,000,000 is authorized for any one fiscal year to operate hydrographic survey vessels owned and operated by the Administration.

(3) To carry out geodetic functions under the Act of 1947, \$20,000,000 for fiscal year 1999, and \$22,000,000 for each of fiscal years 2000, 2001, and 2002.

(4) To carry out tide and current measurement functions under the Act of 1947, \$22,500,000 for each of fiscal years 1999 through 2002. Of these amounts, \$3,500,000 is authorized for each fiscal year to implement and operate a national quality control system for real-time tide and current data, and \$7,250,000 is authorized for each fiscal year to design and install real-time tide and current data measurement systems under section 303(b)(4).

SEC. 307. AUTHORIZED NUMBER OF NOAA CORPS COMMISSIONED OFFICERS.

(a) **AUTHORIZED NUMBER.**—Section 2 of the Coast and Geodetic Survey Commissioned Officers' Act of 1948 (33 U.S.C. 853a) is amended—

(1) by redesignating subsections (a) through (e) as subsections (b) through (f), respectively; and

(2) by inserting before subsection (b), as redesignated, the following:

“(a)(1) Except as provided as in paragraph (2), there are authorized to be not less than 264 and not more than 299 commissioned officers on the active list of the National Oceanic and Atmospheric Administration for fiscal years 1999, 2000, 2001, 2002, and 2003.

“(2) The Administrator may reduce the number of commissioned officers on the active list below 264 if the Administrator determines that it is appropriate, taking into consideration—

“(A) the number of billets on the fisheries, hydrographic, and oceanographic vessels owned and operated by the Administration;

“(B) the need of the Administration to collect high-quality oceanographic, fisheries,

and hydrographic data and information on a continuing basis;

“(C) the need for effective and safe operation of the Administration's fisheries, hydrographic and oceanographic vessels;

“(D) the need for effective management of the commissioned Corps; and

“(E) the protection of the interests of taxpayers.

“(3) At least 90 days before beginning any reduction as described in paragraph (2), the Administrator shall provide notice of such reduction to the Committee on Commerce, Science, and Transportation of the Senate and the Committees on Resources of the House of Representatives.”.

(b) **OFFICER RESPONSIBLE FOR COMMISSIONED OFFICERS AND VESSEL FLEET.**—Section 24(a) of the Coast and Geodetic Survey Commissioned Officers' Act of 1948 (33 U.S.C. 853u(a)) is amended by inserting “One such position shall be appointed from the officers on the active duty promotion list serving in or above the grade of captain, and who shall be responsible for administration of the commissioned officers, and for oversight of the operation of the vessel fleet, of the Administration.” before “An officer”.

(c) **RELIEF FROM MORATORIUM ON NEW APPOINTMENTS.**—The Secretary of Commerce immediately shall terminate the moratorium on new appointments of commissioned officers to the National Oceanic and Atmospheric Administration Corps.

TITLE IV—NORTHWEST STRAITS MARINE CONSERVATION INITIATIVE

SEC. 401. SHORT TITLE.

This title may be cited as the “Northwest Straits Marine Conservation Initiative Act”.

SEC. 402. ESTABLISHMENT.

There is established a commission to be known as the Northwest Straits Advisory Commission (in this title referred to as the “Commission”).

SEC. 403. ORGANIZATION AND OPERATION.

The Commission shall be organized and operated in accordance with the provisions of the Northwest Straits Citizen's Advisory Commission Report of August 20, 1998, on file with the Secretary of Commerce (in this title referred to as the “Report”).

SEC. 404. FUNDING.

(a) **IN GENERAL.**—The Secretary of Commerce may, from amounts available to the Secretary to carry out the work of the Commission, provide assistance for use in accordance with the Report and the priorities of the Commission—

(1) to collect marine resources data in the Northwest Straits;

(2) to coordinate Federal, state and local marine resources protection and restoration activities in the Northwest Straits; and

(3) to carry out other activities identified in the Report as important to the protection and restoration of marine resources in the Northwest Straits.

(b) **PROVISION.**—The Secretary may provide the assistance authorized by subsection (a) through the Director of the Padilla Bay National Estuarine Research Reserve, unless the Governor of the State of Washington objects. If the Governor objects, then the Secretary may provide the assistance through the Administrator of the National Oceanic and Atmospheric Administration.

SEC. 405. LIMITATION.

Nothing in this title provides the Commission with the authority to implement any Federal law or regulation.

Mr. HANSEN (during the reading). Madam Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. MILLER of California. Madam Speaker, I rise in support of the bill.

H.R. 3461 consolidates numerous fisheries and marine conservation bills that have been passed by the Resources Committee and, in many cases, the full House without controversy.

It includes a number of fisheries bills that will improve fisheries management and conservation on both the east and west coasts. It includes a provision to create a public private partnership to improve the quality of our Nation's nautical charts, and in turn improve the safety of navigation and marine environmental protection. It also includes a provision to help local communities in the Puget Sound improve the conservation of their marine resources.

In closing, this is a good bill that is supported by Members from both sides of the aisle, and I am pleased to support its passage today.

Mr. METCALF. Madam Speaker, I rise today in support of this legislation, which includes the Northwest Straits Marine Conservation Initiative Act. This act is a bottom up, local control approach to managing and protecting the waters of northern Puget Sound.

I would like to thank Chairman, YOUNG, Chairman SAXTON, and Mr. MILLER, and their staffs for their cooperation and assistance, and I appreciate their efforts in bringing this landmark legislation to the floor.

I introduced legislation authorizing this act which reflects genuine cooperation between stakeholders spanning the spectrum of interests. Senator MURRAY has also introduced identical legislation in the U.S. Senate. This act represents citizen involvement, strong support from State, local, and the Federal Government; bipartisanship; and conservationists working constructively with industry and property rights advocates—I think this symbolizes an achievement of something not-much-short of a miracle.

I welcomed the opportunity to form the Northwest Straits Advisory Commission with Senator PATTY MURRAY, and I am very pleased with the spirit of cooperation that has led to producing this act. This legislation will help reverse the degradation of the marine ecosystem of the Northwest Straits by encouraging and supporting the concerns, initiative, and capabilities of the people of the Puget Sound and their local governments. It will also foster improved resource protection, preservation of commercial values and diverse ways of life. This will happen with the full cooperation of tribes, additional research, education, and interpretation and maximum cooperation by all Federal agencies along with State and local governments.

For years, the debate over the National Marine Sanctuary in Puget Sound was conducted with growing acrimony. In fact, the public discourse nearly broke down altogether. I was happy to share with Senator MURRAY appreciation for another model, the San Juan County Marine Resource Committee, (MRC). The San Juan MRC is a citizen group empowered by that county to increase voluntary environmental protections, focus public attention on marine issues, and to aid in coordination of existing agencies with jurisdiction in the area. The San Juan MRC is an example of local citi-

zens convening from various view points, rolling up their sleeves, and doing the work of environmental protection around the beautiful San Juan Islands.

And that model of cooperation, communication, and working together, had to be the point of departure for our task of better protecting the magnificent northern Puget Sound. The Northwest Straits Marine Conservation Initiative Act centers on the formation of seven MRC's, one from each county affected, and would in turn participate in a regional panel, which would focus on scientific priorities, and coordinate research and educational activities throughout the region. The commission would be composed of local, State, and tribal appointees, and would hold no regulatory power.

There are a number of benchmarks for specific performance in the legislation that will be used as goals, including establishment of marine protected areas, restoration of habitat, and reopening of areas for shellfish harvest, among others. The Northwest Straits Commission and MRC's would be required to prepare annual reports for public review, culminating in an extensive independent scientific review after five years. The Commission's work will continue only if it is apparent its work is making a difference.

So I applaud the grassroots, "bottom-up" approach adopted by the Commission in its report. I also salute the commitment of NOAA, the Puget Sound Water Quality Action Team, tribal governments, and other State and Federal agencies to work with the Northwest Straits Advisory Commission—to highlight the problems of this region, help focus and coordinate scientific research, and to better use the authority already existent to save this treasure for our grandchildren.

Finally, I want to thank each one of the commission members who gave so much time out of their busy lives to make this happen, as well as all the specialists, technical support people, and local government officials who made themselves available for this endeavor. The members of the Northwest Marine Straits Commission include: Kathy Fletcher—People for the Puget Sound, Harry Hutchinson—Steamship Operators, Don Charnley—former State Senator, Dr. David Fluharty—U.W. School of Fisheries, Doug Scott—Friends of the San Juans, Brian Calvert—Chair, San Juan County Marine Resource Council, Dr. Dennis Willows—U.W. Friday Harbor Lab., Jim Darling—Executive Director, Port of Bellingham, Cheryl Hymes—former State Legislator, Terry Williams—Tulalip Tribes Natural Resources, Don Hopkins—Port Commissioner, Port of Everett and the Longshoremen union, Mac McDowell—Island County Commissioner, Andy Palmer, Jefferson County conservationist—formerly Center for Marine Conservation, Dwain Colby—former Island County Commissioner, and Phil Kitchell—Clallam County Commissioner. I urge support for this act, a truly bipartisan, local consensus approach to protecting a national environmental treasure.

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to approve a governing international fishery agreement between the United States and the Republic of Poland, and for other purposes."

A motion to reconsider was laid on the table.

FALL RIVER WATER USERS DISTRICT RURAL WATER SYSTEM ACT OF 1998

Mr. HANSEN. Madam Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 744) to authorize the construction of the Fall River Water Users District Rural Water System and authorize financial assistance to the Fall River Water Users District, a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 744

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fall River Water Users District Rural Water System Act of 1998".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) there are insufficient water supplies of reasonable quality available to the members of the Fall River Water Users District Rural Water System located in Fall River County, South Dakota, and the water supplies that are available are of poor quality and do not meet minimum health and safety standards, thereby posing a threat to public health and safety;

(2) past cycles of severe drought in the southeastern area of Fall River County have left residents without a satisfactory water supply, and, during 1990, many home owners and ranchers were forced to haul water to sustain their water needs;

(3) because of the poor quality of water supplies, most members of the Fall River Water Users District are forced to either haul bottled water for human consumption or use distillers;

(4) the Fall River Water Users District Rural Water System has been recognized by the State of South Dakota; and

(5) the best available, reliable, and safe rural and municipal water supply to serve the needs of the Fall River Water Users District Rural Water System members consists of a Madison Aquifer well, 3 separate water storage reservoirs, 3 pumping stations, and approximately 200 miles of pipeline.

(b) PURPOSES.—The purposes of this Act are—

(1) to ensure a safe and adequate municipal, rural, and industrial water supply for the members of the Fall River Water Users District Rural Water System in Fall River County, South Dakota;

(2) to assist the members of the Fall River Water Users District in developing safe and adequate municipal, rural, and industrial water supplies; and

(3) to promote the implementation of water conservation programs by the Fall River Water Users District Rural Water System.